



**GENERAL INFORMATION, INSTRUCTIONS, AND
DEFINITIONS FOR COMMISSION FOREIGN
PRODUCER/EXPORTER QUESTIONNAIRES**

**SOFTWOOD LUMBER FROM CANADA
Investigations Nos. 701-TA-414 and 731-TA-928
(Section 129 Consistency Determination)**

Further information.--If you have any questions concerning the enclosed questionnaire(s) or other matters related to these investigations, you may contact the following member of the Commission's staff (Fax 202-205-3205):

Jim McClure (202-205-3191; E-mail james.mcclure@USITC.GOV)

GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS

GENERAL INFORMATION

Background.---This proceeding was instituted in response to a request from the United States Trade Representative (USTR) on July 27, 2004 for a determination under section 129(a)(4) of the URAA that would render the Commission's action in connection with Investigation Nos. 701-TA-414 and 731-TA-928 not inconsistent with the findings of the dispute settlement panel of the World Trade Organization (WTO) in its report entitled, "United States – Investigation of the International Trade Commission in Softwood Lumber From Canada," WT/DS277/R. The WTO dispute settlement panel report resulted from a request by the Government of Canada for review under the WTO *Understanding on Rules and Procedures Governing the Settlement of Disputes* of the Commission's determination on May 16, 2002 that an industry in the United States is threatened with material injury by reason of imports from Canada of softwood lumber found to be subsidized and sold in the United States at less than fair value (LTFV) (investigations Nos. 701-TA-414 and 731-TA-928, *Softwood Lumber from Canada*, USITC Pub. 3509 (May 2002)).

The questions in this questionnaire relate to information your firm submitted during the course of the Commission's countervailing duty and antidumping investigations concerning softwood lumber from Canada (inv. Nos. 701-TA-414 and 731-TA-928 (Final)) which was completed in May 2002. The questions in the questionnaire will be used to supplement the information gathered in those investigations, pursuant to the Commission's section 129 proceeding.

Additional questionnaires will be supplied promptly upon request, or photocopies of the enclosed questionnaire(s) may be used. Address all correspondence to the United States International Trade Commission, Washington, DC 20436. Hearing-impaired individuals can obtain information regarding these investigations via the Commission's TDD terminal (202-205-1810).

Due date of questionnaire(s).--Return the completed questionnaire(s) to the United States International Trade Commission by no later than **September 17, 2004**. Although the enclosed postpaid envelope may be used to return the completed questionnaire, use of an overnight mail service may be necessary to ensure that your response actually reaches the Commission by **September 17, 2004**. If you do not use the enclosed envelope, please make sure the completed questionnaire is sent to the attention of **Jim McClure**. **Return only one copy of the completed questionnaire(s), but please keep a copy for your records so that you can refer to it if the Commission staff contacts you with any questions during the course of the investigations.**

Service of questionnaire response(s).--In the event that your firm is a party to these investigations, you are required to serve a copy of the questionnaire(s), once completed, on parties to the proceeding that are subject to administrative protective order (see 19 CFR § 207.7). A list of such parties is maintained by the Commission's Secretary and may be obtained by calling 202-205-1803. A certificate of service must accompany the copy of the completed questionnaire(s) you submit (see 19 CFR § 207.7).

GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued

GENERAL INFORMATION--Continued

Confidentiality.--The commercial and financial data furnished in response to the enclosed questionnaire(s) that reveal the individual operations of your firm will be treated as confidential by the Commission to the extent that such data are not otherwise available to the public and will not be disclosed except as may be required by law (see 19 U.S.C. § 1677f). Such confidential information will not be published in a manner that will reveal the individual operations of your firm; however, nonnumerical characterizations of numerical business proprietary information (such as discussion of trends) will be treated as confidential business information only at the request of the submitter for good cause shown.

Verification.--The information submitted in the enclosed questionnaire(s) is subject to audit and verification by the Commission. To facilitate possible verification of data, please keep all your workpapers and supporting documents used in the preparation of the questionnaire response(s).

Release of information.--The information provided by your firm in response to the questionnaire(s), as well as any other business proprietary information submitted by your firm to the Commission in connection with the investigations, may become subject to, and released under, the administrative protective order provisions of the Tariff Act of 1930 (19 U.S.C. § 1677f) and section 207.7 of the Commission's Rules of Practice and Procedure (19 CFR § 207.7). This means that certain lawyers and other authorized individuals may temporarily be given access to the information for use solely in connection with these investigations; those individuals would be subject to severe penalties if the information were divulged to unauthorized individuals.

INSTRUCTIONS

Answer all questions.--Do not leave any question or section blank unless a questionnaire expressly directs you to skip over certain questions or sections. If the answer to any question is "none," write "none." **If information is not readily available from your records in exactly the form requested, furnish carefully prepared estimates--designated as such by the letter "E"--and explain the basis of your estimates.** Answers to questions and any necessary comments or explanations should be supplied in the space provided or on separate sheets attached to the appropriate page of the questionnaire(s).

Consolidate all establishments in Canada.--Report the requested data for your establishment(s) located in Canada. **Firms operating more than one establishment should combine the data for all establishments into a single report.**

GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued

DEFINITIONS

Softwood lumber.---Products as provided for in subheadings 4407.10.00, 4409.10.10, 4409.10.90, and 4409.10.20 of the Harmonized Tariff Schedule (HTS) of the United States. Softwood lumber also includes any products described below: coniferous wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6 mm; coniferous wood siding (including strips and friezes for parquet flooring, not assembled) continuously shaped (tongued, grooved, rabbeted, chamfered, V-jointed, beaded, molded, rounded or the like) along any of its edges or faces, whether or not planed, sanded or finger-jointed; and other coniferous wood (including strips and friezes for parquet flooring, not assembled) continuously shaped (tongued, grooved, rabbeted, chamfered, V-jointed, beaded, molded, rounded or the like) along any of its edges or faces (other than wood mouldings and wood dowel rods) whether or not planed, sanded or finger-jointed; and coniferous wood flooring (including strips and friezes for parquet flooring, not assembled) continuously shaped (tongued, grooved, rabbeted, chamfered, V-jointed, beaded, molded, rounded or the like) along any of its edges or faces, whether or not planed, sanded or finger-jointed..

Excluded products.--The following products are excluded from the scope of these investigations: (1) trusses and truss kits, properly classified under HTS subheading 4418.90; (2) I-Joist beams; (3) assembled box spring frames; (4) pallets and pallet kits, properly classified under HTS subheading 4415.20; (5) garage doors; (6) edge-glued wood, properly reported under HTS statistical reporting number 4421.90.9840; (7) properly classified complete door frames; (8) properly classified complete window frames; and (9) properly classified furniture.

Also excluded from the scope of these investigations are the following products, only if they meet certain requirements: (1) stringers (pallet components used for runners): if they have at least two notches on the side, positioned at equal distance from the center, to properly accommodate forklift blades, properly reported under HTS statistical reporting number 4421.90.9840; (2) box-spring frame kits: if they contain the following wooden pieces--two side rails, two end (or top) rails and varying numbers of slats. The side rails and the end rails should be radius-cut at both ends. The kits should be individually packaged and contain the exact number of wooden components needed to make a particular box spring frame, with no further processing required. None of the components exceeds 1" in actual thickness or 83" in length; (3) radius-cut box-spring-frame components, not exceeding 1" in actual thickness or 83" in length, ready for assembly without further processing. The radius cuts must be present on both ends of the boards and must be substantial cuts so as to completely round one corner; and (4) fence pickets requiring no further processing and properly classified under HTS subheading 4421.90.70, 1" or less in actual thickness, up to 8" wide, 6' or less in length, and have finials or decorative cuttings that clearly identify them as fence pickets. In the case of dog-eared fence pickets, the corners of the boards should be cut off so as to remove pieces of wood in the shape of isosceles right angle triangles with sides measuring 3/4 inch or more.

GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued

DEFINITIONS--Continued

Standard--A grade of lumber suitable for framing purposes. Pieces are of good appearance, but graded primarily for strength and serviceability. The grade is approved by the American Lumber Standards Committee (ALSC).

Standard and Better (Std. & Btr.)--A mix of lumber grades suitable for general construction. The "and Better" signifies that a portion of the lumber is actually of a higher grade than standard, but not necessarily of the highest grade. The portion of higher grades included is a factor in determining market value.

#2--Recommended for most general construction uses. A grade approved by the ALSC.

#2 and Better--A mixture of joist and plank grades with the lowest being #2. The "and Better" signifies that a portion of the lumber is actually of a higher grade than #2, but not necessarily of the highest grade.

Stud grade--Stringent requirements by the ALSC as to straightness, strength, and stiffness fit this grade to all stud uses, including load bearing walls; the grade is approved by the ALSC. Studs are used in framing building walls with little or no trimming before they are set in place.

Surfaced green--Lumber that has been dressed by a planing machine for purposes of attaining smoothness of surface and uniformity of size while still unseasoned; surfacing may be done on one or more sides.

Kiln dried--Lumber that has been seasoned in a kiln to a predetermined moisture content.

Treated lumber--Lumber infused or coated with any of a variety of stains or chemicals designed to retard fire, decaying, insect damage, or deterioration due to weather.

Douglas-fir--The species Pseudotsuga menziesii.

Hem-fir--A species combination used by grading agencies to designate any of various species having common characteristics. In this group are: California red fir, grand fir, noble fir, Pacific silver fir, Shasta fir, white fir, and western hemlock.

Southern yellow pine (SYP)--The species group that includes loblolly pine, longleaf pine, shortleaf pine, and slash pine.

GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued

DEFINITIONS--Continued

Spruce-Pine-Fir (SPF).--Canadian woods of similar characteristics that have been grouped for production and marketing. The principal species in the Western SPF (W-SPF) group are : White Spruce, Engelmann Spruce, Lodgepole Pine, and Alpine Fir; in the Eastern SPF (E-SPF) group: Red Spruce, Black Spruce, Jack Pine, and Balsam Fir.

Englemann Spruce-Lodgepole Pine (ESLP).--U.S. woods of similar characteristics that have been grouped for production and marketing. The principal species are Englemann Spruce and Lodgepole Pine.

Western red cedar.--The species Thuja plicata.

White pine.--The species Pinus strobus.

Precision End Trimmed (P.E.T.).--Lumber trimmed square and smooth on both ends to a uniform length, with a manufacturing tolerance of 1/16-inch over or under length in a maximum of 20 percent of the pieces (lumber).

Boards.--Relatively thin pieces of lumber (less than two inches in nominal thickness and one inch or more in width) which are primarily used in decorative applications, such as doors, windows, cabinetry, etc.

Dimension lumber.--Lumber that is two to five inches thick, and is two or more inches in width; normally used in construction and includes products such as joists.

Timbers.--Lumber that is at least five inches thick and is typically used as posts, girders, and the like.

Stress grades.--Lumber having assigned work stress and modulus of elasticity values in accordance with accepted basic principles of strength grading and meeting the provisions of the American Lumber Standards for Softwood Lumber.

Selects.--High quality lumber that is graded for appearance.

Shop.--Lumber that is graded for the number and sizes of cuttings that can be used for the manufacture of other products.

mbf.--Thousand board feet.

GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued

DEFINITIONS--Continued

Firm--An individual proprietorship, partnership, joint venture, association, corporation (including any subsidiary corporation), business trust, cooperative, trustee in bankruptcy, or receiver under decree of any court.

Related firm--A firm that your firm solely or jointly owned, managed, or otherwise controlled; a firm that solely or jointly owned, managed, or otherwise controlled your firm; and/or a firm that was solely or jointly owned, managed, or otherwise controlled by a firm that also solely or jointly owned, managed, or otherwise controlled your firm.

Establishment--Each facility of a firm in Canada involved in the production of softwood lumber (as defined above), including auxiliary facilities operated in conjunction with (whether or not physically separate from) such facilities.

United States--For purposes of these investigations, the 50 States, Puerto Rico, the U.S. Virgin Islands, and the District of Columbia.

Importer--Any person or firm engaged, either directly or through a parent company or subsidiary, in importing softwood lumber (as defined above) into the United States from a foreign manufacturer or through its selling agent.

Average production capacity--The level of production that your establishment(s) could reasonably have expected to attain during the specified periods. Assume normal operating conditions (i.e., using equipment and machinery in place and ready to operate; normal operating levels (hours per week/weeks per year) and time for downtime, maintenance, repair, and cleanup; and a typical or representative product mix).

Production--All production in your establishment(s) in Canada, including production consumed internally within your firm.

Shipments--Shipments of products produced in your establishment(s) in Canada. Quantities reported should be net of returns.

Home market commercial shipments--Shipments, other than internal consumption and transfers to related firms, within Canada.

Home market internal consumption/transfers to related firms--Shipments made to related firms in Canada, including product consumed internally by your firm.

GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--*Continued*

DEFINITIONS--*Continued*

Export shipments--Shipments to destinations outside Canada, including shipments to related firms.

Inventories--Finished goods inventory, not raw materials or work-in-progress.